



April 24, 2020

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VIA CM/ECF

The Honorable Kiyo A. Matsumoto
United States District Court
225 Cadman Plaza East
Brooklyn New York 11201

Re: *Seymon Grinblat v. Speedway LLC*
Case No. 1:20-cv-01643-KAM-CLP
Request for Extension of Time to Respond to Plaintiff's Amended Complaint

Dear Judge Matsumoto:

Defendant Speedway LLC respectfully requests a 30-day extension of time, up to and including May 28, 2020, to answer or otherwise respond to Plaintiff Seymon Grinblat's Amended Complaint [ECF No. 5]. Speedway's responsive filing is currently due on April 28, 2020.

Speedway requests this extension because it has not yet formally received service of process from the New York Secretary of State. Plaintiff apparently served Speedway via the New York Secretary of State in Albany on April 7, 2020 but, to the best of counsel's knowledge, the Secretary of State has not yet forwarded the Summons and Complaint to Speedway. Instead, Speedway's counsel recently learned about this case and found the Affidavit of Service [ECF No. 8] on the Court's docket.

Speedway requests a 30-day extension so that it may (i) confer with counsel regarding its response to the Amended Complaint; and (ii) investigate the factual basis for Plaintiff's claims and prepare its responsive filing. Although Speedway and its counsel are committed to working expeditiously to investigate Plaintiff's claims and prepare a response to the Amended Complaint, the COVID-19 pandemic and related restrictions are likely to introduce delays to this process.

Speedway has not previously moved for an extension of time, nor will the requested extension affect any other scheduled deadlines in this matter. Counsel for

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Speedway discussed the requested extension of time with Plaintiff's counsel on April 24, 2020. Plaintiff refused to agree to a 30-day extension of the deadline, as he contends Speedway can investigate Plaintiff's allegations and prepare its responsive filing simultaneously. Plaintiff has no objection, however, to a 14-day extension of time for Speedway to file its response to the Amended Complaint.

For the foregoing reasons, Speedway respectfully requests that the Court extend the time for it to file its response to Plaintiff's Amended Complaint until May 28, 2020.

Respectfully,

/s/ John M. Lyons
Counsel for Speedway LLC

cc: All counsel of record (via CM/ECF)